

Amendment No. 3 to SB2312

**Ford
Signature of Sponsor**

AMEND Senate Bill No. 2312*

House Bill No. 2581

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting the amendatory language of Section 68-11-1702(a)(6) in its entirety and by substituting instead the following:

(6) "Health care" means any care, treatment, service or procedure to maintain, diagnose or treat an individual's physical or mental condition, and includes medical care as defined in § 32-11-103(5).

AND FURTHER AMEND by deleting the amendatory language of Section 68-11-1702(a)(7) in its entirety and by substituting instead the following:

(7) "Health care decision" means consent, refusal of consent or withdrawal of consent to health care.

AND FURTHER AMEND by deleting the amendatory language of Section 68-11-1702(a)(8) in its entirety and by substituting instead the following:

(8) "Health care institution" means a health care institution as defined in § 68-11-102.

AND FURTHER AMEND by deleting the amendatory language of Section 68-11-1702(a)(9) in its entirety and by substituting instead the following:

(9) "Health care provider" means a person who is licensed, certified or otherwise authorized or permitted by the laws of this state to administer health care in the ordinary course of business or practice of a profession.

AND FURTHER AMEND by deleting the amendatory language of Section 68-11-1703(b) and by substituting instead the following:

(b) An advance directive remains in effect notwithstanding the principal's later incapacity and may include individual instructions.

AND FURTHER AMEND by deleting the amendatory language of Section 68-11-1703(i) and by substituting instead the following:

(i) No health care provider or institution, and no health care service plan, insurer issuing disability insurance, self-insured employee welfare benefit plan, or nonprofit hospital plan, shall require the execution or revocation of an advance directive as a condition for being insured for, or receiving, health care.

AND FURTHER AMEND by deleting the amendatory language "Title 32, Chapter 6, Part 2" from Section 68-11-1703(j) in Section 1 and by substituting instead the language "Title 34, Chapter 6, Part 2".

AND FURTHER AMEND by inserting the following language at the end of the amendatory language of Section 68-11-1706(c)(2):

No person who is the subject of a protective order or other court order that directs that person to avoid contact with the patient shall be eligible to serve as the patient's surrogate.

AND FURTHER AMEND by deleting the language "satisfied" in the amendatory language of Section 68-11-1706(c)(3)(F) and by substituting instead the language "satisfies".